Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Period: \_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Dred Scott Decision**

**Introduction**

 Another issue involving slavery in the North and South came up around the same time of the Kansas-Nebraska Act: what to do about slaves whose owners travelled through, or settled, in territories where slavery was not legal. This situation came to a head in the Dred Scott Supreme Court decision.

**Part 1: Guided Reading**

***Section 1: Douglas’ Plan***

Two days after president Buchanan took office, the Supreme Court announced the Dred Scott decision. Dred Scott was an enslaved African American who had been taken by his owner from the South to live for a time in Illinois and Wisconsin, areas where slavery was not allowed. After his owner died, antislavery lawyers helped Scott sue for his freedom, claiming that he had for a time lived on free soil.

1. Where did Dred Scott live that slavery was outlawed? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***Section 2: Bitter Debate***

In the Dred Scott decision, Supreme Court Chief Justice Taney said that Scott was a slave, not a citizen, and therefore had no right to bring a lawsuit. He added that Scott’s residence on free soil did not make him free, because he was property. As property, he could not be taken away from his owner without “due process of law.”

Furthermore, Taney maintained that because the Congress had no power to prohibit slavery in any territory, the Missouri Compromise, which had limited slavery north of the 36\*30\* north latitude line in many Western territories, was unconstitutional. Finally Taney added that popular sovereignty was unconstitutional because not even voters could prohibit slavery, as it would amount to taking away someone’s property.

The Dred Scott decision outraged antislavery advocates in the North, but pleased Southerners, dividing the country more than ever.

1. Why did Chief Justice Taney say that Dred Scott had no right to bring a lawsuit? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Why did Chief Justice Taney say that Dred Scott’s resident on free soil did not make him free? \_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. Why was popular sovereignty unconstitutional according to Taney? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
4. Who did this decision outrage? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Part 2: Guided Practice**

|  |  |
| --- | --- |
| **Term** | **Definition/Explanation: What is this? Why was it important?** |
| **Dred Scott** |  |
| **Chief Justice Taney** |  |
| **Dred Scott Decision** |  |

***Section 2: Fill-In-The-Blank***

**\*Property \*Slavery \*South \*Unconstitutional \*Dred Scott \*Chief Justice Taney \*North**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ was a slave whose owner moved from the south to Wisconsin and Illinois, where slavery was outlawed. When his owner died, Dred Scott sued for his freedom claiming that since he had lived where \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ was outlawed he should be freed. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ wrote in the Supreme Court’s decision, that Dred Scott could not bring suit because he was not a citizen, he was \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Additionally, Taney wrote that the Missouri Compromise and popular sovereignty were \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, as they took away property (slaves). This outraged the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , pleased the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and caused tensions to grow further between the two sides. The nation was further divided, and some feared that Civil War was near.